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3 **UNITED STATES DISTRICT COURT**  
4 **CENTRAL DISTRICT OF CALIFORNIA**  
5 **WESTERN DIVISION**

6  
7 JONATHAN ANTHONY MENDEZ,

8 Petitioner,

9 v.

10 WARREN MONTGOMERY  
11 (Warden),

12 Respondent.  
13

No. ED CV 18-2285-VBF-RAO

**ORDER**

Overruling Petitioner's Objections;  
Adopting Report & Recommendation;  
Denying the Habeas Corpus Petition;  
Dismissing the Action with Prejudice;  
Terminating and Closing Action (JS-6)

14 The Court has reviewed the records in this case and the applicable law. As  
15 required by Fed. R. Civ. P. 72(b)(3), the Court has engaged in de novo review  
16 of the portions of the Report and Recommendation ("R&R") to which  
17 petitioner has specifically objected and finds no defect of law, fact, or logic in  
18 the R&R. The Court finds discussion of the objections to be unnecessary on  
19 this record. "The Magistrates Act 'merely requires the district judge to make a  
20 de novo determination of those portions of the report or specified proposed  
21 findings or recommendation to which objection is made.'" It does not require a  
22 written explanation of the reasons for rejecting objections. *See MacKenzie v.*  
23 *Calif. AG*, 2016 WL 5339566, \*1 (C.D. Cal. Sept. 21, 2016) (citation omitted).  
24 "This is particularly true where, as here, the objections are plainly unavailing."  
25 *Smith v. Calif. Jud. Council*, 2016 WL 6069179, \*2 (C.D. Cal. Oct. 17, 2016).  
26 Accordingly, the Court will accept the Magistrate Judge's factual findings and  
27 legal conclusions and implement the R&R's recommendations.  
28

ORDER

Petitioner's objection [Doc # 11] is **OVERRULED**.

The Report and Recommendation [Doc # 10] is **ADOPTED**.

The petition for a writ of habeas corpus [Doc # 1] is **DENIED**.

This action is **DISMISSED** with prejudice.

Final judgment consistent with this order will be entered separately as required by Fed. R. Civ. P. 58(a). *See Jayne v. Sherman*, 706 F.3d 994, 1009 (9th Cir. 2013).

The Court will rule on a certificate of appealability by separate order.

The case **SHALL BE TERMINATED** and closed (JS-6).

**IT IS SO ORDERED.**

Dated: August 12, 2019

  
HON. VALERIE BAKER FAIRBANK  
Senior United States District Judge